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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,970	12/15/2003	Sung Im Jo	CU-3488	1302
26530	7590	05/04/2005	EXAMINER	
LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1200 CHICAGO, IL 60604			HSIEH, SHIH YUNG	
			ART UNIT	PAPER NUMBER
			2837	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/734,970

Applicant(s)

JO, SUNG IM

Examiner

Shih-yung Hsieh

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

1. Figures 1, 2A, and 2B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informalities: in the section of Brief Description of the Drawings, Figs. 1, 2A, and 2B are described as "according to an embodiment of the present invention" is improper because the mounting apparatus 20 is a conventional reed mounting apparatus as stated on page 3, lines 1 and 2.

Appropriate correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's prior art (Fig. 2B) in view of Valtchev (5,440,962).

Regarding claim 1, the prior art discloses the claimed invention as described in the applicant's specification. The difference between the prior art and claim 1 is that claim 1 recites close adherence units which are formed with a predetermined gap on the inner circumferential surface of the support ring, and formed in the form of a sphere or a hemisphere having a predetermined diameter, in which the outer circumferential surface of the reed and the mouth piece contact the outer circumferential surface of the sphere formed by the spherical disposed close adherence units.

Valtchev teaches close adherence units (20, 30) which are formed with a predetermined gap (Fig. 2) on the inner circumferential surface of the support ring (40), and formed in the form of a hemisphere (Fig. 3 shows adherence units 20 and 30 as hemisphere with predetermined diameter) having a predetermined diameter, in which the outer circumferential surface of the reed and the mouth piece contact the outer circumferential surface of the sphere formed by the spherical disposed close adherence units (Figs. 2 and 3) for permitting easy vibration of the reed (col. 1 lines 55-56).

It would have been obvious to one having ordinary skill in the art to modify the prior art's apparatus as taught by Valtchev to include close adherence units which are formed with a predetermined gap on the inner circumferential surface of the support ring, and formed in the form of a sphere or a hemisphere having a predetermined diameter, in which the outer circumferential surface of the reed and the mouth piece contact the outer circumferential surface of the sphere formed by the spherical disposed close adherence units for the purpose of permitting easy vibration of the reed.

Regarding claim 2, the prior art in view of Valtchev disclose the claimed invention (Fig. 2 of the reference).

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art in view of Valtchev as applied to claim 1 above, and further in view of Johnson (4,941,385).

Regarding claim 4, the prior art in view of Valtchev disclose the claimed invention except that a pressurized fixing plate which is made of spherical or hemispherical metal piece combined with the end of the screw bolt, so as to contact the outer circumstantial surface of the reed in a point contact manner, and four edges of the metal piece are made to protrude in the lower portion of the metal piece.

Johnson teaches a pressurized fixing plate (100) which is made of spherical or hemispherical metal piece (brass, col. 3, line 22, and the cross section is hemispherical as shown in Figs 1 and 2 since the applicant's Figs 6A and 6B show a square plate, and only the cross section shows as semispherical), so as to contact the outer circumstantial surface of the reed in a point contact manner, and four edges (200) of the metal piece are made to protrude in the lower portion of the metal piece for increasing the freedom of vibration at the thin end of the reed (col. 3, lines 32-33).

It would have been obvious to one having ordinary skill in the art to modify the prior art in view of Valtchev's apparatus as taught by Johnson to include a pressurized fixing plate which is made of spherical or hemispherical metal piece combined with the end of the screw bolt, so as to contact the outer circumstantial surface of the reed in a

point contact manner, and four edges of the metal piece are made to protrude in the lower portion of the metal piece for the purpose of increasing the freedom of vibration at the thin end of the reed.

6. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claim 3 is allowable over the prior art for at least the reason that the prior art fails to reasonably teach or suggest in claim 3 that an insertion hole is formed in the end of the screw bolt, and a spherical or hemispherical rubber protrusion inserted into the insertion hole contacts the reed and the mouthpiece as set forth in the claimed combination.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-yung Hsieh whose telephone number is 571-272-2065. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2837

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

syh


SHIH-YUNG HSIEH
PRIMARY EXAMINER